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Peter K. Trzyna (32,601)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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### INFORMATION DISCLOSURE STATEMENT

SIR:

This Information Disclosure Statement is being filed pursuant to the duty of disclosure, candor, and good faith embodied in 37 C.F.R. §§ 1.56 and 1.97 owed by the inventor, the inventor's assignee substantively involved in the application, and the patent attorney to the United States Patent and Trademark Office. Submitted herewith are patents, publications, and other information to help make this information of record.

**I. COMMENT ON THE ENCLOSED**

While the Information Disclosure Statement and the patents, publications, and other information provided hereby may be "material" pursuant to 37 C.F.R. §§ 1.56, it is not intended that these constitute an admission of "prior art" for this invention unless expressly designated as such. Although a search has been made of United States patents, and the inventor has added other information in the specification, this Information Disclosure Statement shall not be construed to mean that no other material information, as defined in 37 C.F.R. §§ 1.56, exists.

**A. General**

The Examiner is also requested to initial as indicated in the attached Form PTO-1449 if a citation is considered and draw a line through a citation not considered, and include a copy of Form PTO-1449 with the next communication to counsel for the Applicant. Enclosed is a copy of every patent or other document uncovered the search conducted as specified in the Petition to Make Special that is enclosed herewith.

**A1 Published Application No. 2001/0047325**

Published Application No. 2001/0047325 teaches a method for providing lines of credit or loans to terminally ill and health-compromised individuals who have a qualified life insurance policy. The loans are secured by the policy. No scheduled payments are required, and upon death, the company collects the benefits of the life insurance policy, pays off the loan (and premiums advanced by the lender plus origination fees and accrued interest) and gives the remaining funds to the beneficiary designated by the borrower.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A2 Published Application No. 2002/0046143**

Published Application No. 2002/0046143 teaches an automated system and

method for measuring the performance of elements of a business enterprise and for valuing said elements on a specified valuation date. The performance of the elements are calculated using composite variables. Predictive models are then used to determine the correlation between the element performance and the enterprise cash flow. The element correlation percentages are then multiplied by capitalized value of future cash flow to calculate a value for each element. Finally, the relationship between the market value of the business and the calculated business value is optionally calculated for use in forecasting future equity prices.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A3      Published Application No. 2002/0156658**

Published Application No. 2002/0156658 teaches an insurance product and insurance method for providing financial assurance, against an occurrence of at least one specified event, are described. In one embodiment, an insurer provides an insurance policy having a risk limit, in exchange for a predetermined first premium from the insured entity, where the risk limit is the maximum monetary risk. The insurer then transfers a variable portion of the risk limit to a reinsurer in exchange for a predetermined second premium. Note that the reinsurer is preferably a captive of the insured. As a feature of the invention, the variable portion of the risk limit decreases over time, and equals a predetermined retainment point less a variable attachment point. For example, the retainment point is a monetary amount less than the risk limit, and the variable attachment point varies over time based on a predetermined investment growth. In a further embodiment, the reinsurer transfers its risk to a third party reinsurer for a premium, where the third party reinsurer acts as a pool administrator for an insurance pool.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A4      Published Application No. 2003/0074232**

Published Application No. 2003/0074232 teaches a method of raising funds for an organization through the purchase of life insurance is provided. The organization obtains a list of donors that have been selected to form a participant pool, the participant pool of donors having been constructed according to a mortality matrix. The organization purchases of a life insurance policy on the life of each donor in the participant pool and then receives a death benefit payment form one of the life insurance policies upon the death of one person of the donors in the participant pool.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A5      Published Application No. 2003/0083975**

Published Application No. 2003/0083975 teaches systems and methods are provided for transferring ownership of an insurance asset cash flow via a legal and accounting true sale. According to one embodiment, a seller arranges to sell an insurance asset cash flow to an investor. For example, a reinsurance entity may obtain ownership of insurance receivables from an insurance company and arrange to sell the insurance receivables cash flow to a bank syndicate. The seller then transfers ownership of the insurance asset cash flow to the investor via a legal and accounting true sale. For example, the reinsurance entity may transfer all beneficial rights, title, and interest in and to the insurance receivables cash flow to the bank syndicate.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A6      Published Application No. 2003/0088430**

Published Application No. 2003/0088430 teaches the invention is directed to a system for designing and administering a reinsurance plan for a variable annuity contract with a

guaranteed minimum death benefit, including a means for determining a contractual guaranteed minimum death benefit for the variable annuity contract, and a means for determining a guaranteed minimum death benefit claim value from the variable annuity contract. The system also includes a means for establishing a final excess claim limit from the claim value and from the contractual guaranteed minimum death benefit of the variable annuity contract for limiting a total of guaranteed minimum death benefit claims against a reinsurer. Also included is a means for settling the claim liability after expiration of the reinsurance term, and offsetting the reinsurer liability for each first period with the variable annuity contract writer liability for preceding first periods and a successive first periods.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A7      Published Application No. 2003/0093304**

Published Application No. 2003/0093304 teaches a method for evaluating and managing short term risk includes the steps of identifying a population of risks, assigning baseline factors to risks in the population, developing, by a statistical regression technique, a table of modification factors, modifying the baseline factors assigned to the risk and generating one or more quotes for insurance coverage using the modified factors. A system with which the method may be practiced includes first and second computers, and programs to allow a user of the second computer to generate one or more quotes on the first computer for review and consideration. The system and method allow for more precise and rigorous analysis and underwriting of certain short term risks.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A8.      Published Application No. 2003/0093354**

Published Application No. 2003/0093354 teaches the present invention relates to

a method for hedging a deferred compensation liability. In one embodiment, the invention may provide a mechanism to hedge the compensation expense liabilities of an employer providing deferred compensation to one or more employees.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A9    Published Application No. 2003/0204462**

Published Application No. 2003/0204462 teaches a method and system for administering an employee deferred compensation plan, e.g., which employs hedging of liabilities using total return swaps and/or put and call options. A plan coordinator coordinates a transfer of information between employer/plan sponsor, a plan administrator that communicates with the employees/plan participants, and swap/option providers. The plan coordinator receives and reconciles data and then calculates relevant information for use in reports that are provided to the plan sponsor and swap/option provider. The reports include an upcoming transactions report, which indicates new compensation deferrals, reallocations of previously deferred compensation among reference investment funds, and withdrawals. Moreover, a swap details report and a put and call option details report may be provided which indicates future payments that the swap/options provider must pay the plan sponsor under the swap and/or options.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A10    Published Application No. 2003/0208385**

Published Application No. 2003/0208385 teaches a system used by a underwriter for evaluating life insurance applications. The system provides graphical user interfaces (screens) that are used to select conditions applicable to the insurance applicant, and to select ratings associated with those conditions. The ratings can be manually entered by an underwriter or entered automatically when selected at a screen. Ratings are displayed

individually and as a total rating. The ratings may be manually adjusted by the underwriter. The system automatically calculates (using a mortality table) the life expectancy of the applicant based the total rating, and the life expectancy is recalculated when a rating is adjusted by the underwriter. The life expectancy is displayed side-by-side to ratings information on the screens so that the underwriter can visually determine the impact of ratings and adjustments to ratings on the life expectancy of the applicant. Profile screens may be used to prompt the underwriter to enter information concerning complex medical conditions (such as coronary artery disease or diabetes) and to automatically provide a rating from a rating table in response to the entered data.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A11 Published Application No. 2004/0010426**

Published Application No. 2004/0010426 teaches the invention is a computer system and method to create complementary or alternative choice to known insurance art risk coverage. Enables consumers to buy an obligation from selected suppliers legally bound to timely supply the agreed output upon claim by a beneficiary. A saving inherent to a cash or loaned prepaid obligation to self compensate a measurable event loss, in order to complement or substitute current and future expenditure of insurance premiums covering similar risks. Said obligation traded and swapped at will by consumers and suppliers in a suitable trading floor.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A12 Published Application No. 2004/0030589**

Published Application No. 2004/0030589 teaches the present invention provides a means of calculating and evaluating a premium financing program. The present invention provides an apparatus which takes into account factors and data such as various alternative

sources of funding, various alternative flows of assets, and various outflows of assets due to taxes, interest payments, selected insurance premiums, reinsurance costs, and transaction fees incurred in maintaining the premium financing program. The present invention additionally provides a means for obtaining lower cost of life, by offsetting the cost through reinsurance, and by providing an incentive to an individual to maintain the life insurance policy in full-force by providing the possibility of receiving the individual's death benefit while they are alive.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A13 Published Application No. 2004/0167812**

Published Application No. 2004/0167812 teaches a method and arrangement for the organization and structure of a derivative counterparty which is formed to facilitate hedging and derivative transactions, including swap transactions, in which the method includes establishing a counterparty entity as a joint venture between the customer and a plurality of common members, providing a portion of capital to the counterparty entity from each of the plurality of common members and the customer, providing another portion of the capital to the counterparty, and purchasing assets for executing a derivative transaction between the counterparty and the customer using the capital provided to the counterparty, in which operations of the counterparty are economically and/or financially independent of the plurality of common members and the customer.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A14 Published Application No. 2004/0177021**

Published Application No. 2004/0177021 teaches the apparatus and methods of the present invention create enhanced investment returns for investors by utilizing standard insurance products and recognizing the actuarial expectation of death for lives within a pool of

insured lives. In the most preferred embodiments of the present invention, a pooled investment entity, which is a tax "pass through" entity, invests in life insurance policies or otherwise secures life insurance policies placed on lives in a pool of insured lives. A projected return is calculated on an actuarial basis and actual returns are paid based on the experience of deaths in the pool of insured lives.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A15 Published Application No. 2005/0055250**

Published Application No. 2005/0055250 teaches a method for calculating estimated results and accruals for a business entity in accordance with predetermined accounting principles is provided. The method uses at least one accounting engine in communication with a database. The method includes storing business information in the database including at least one of the accounts receivable data, accounts payable data, operating metrics, cash flow data, financial statements, capital structure, income statements, collateral data, guarantors, claims, accruals, losses, and other information relating to the financial condition of the business. The method further includes transmitting business information from the database to the at least one accounting engine estimated results and accruals for the business in accordance with the predetermined accounting principles, generating entries for recording in a general ledger of the business based on the calculated estimated results and accruals, and recording the entries in the general ledger of the business.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A16 Published Application No. 2005/0060209**

Published Application No. 2005/0060209 teaches a computer based method and system to provide insurance protection to compensate an interested party against the financial

risk that an elderly person (the "Insured") lives a longer than expected lifetime. The method comprises the steps of determining a target survival date for the insured; determining a survival benefit; receiving a premium in exchange for payment of the survival-beneficiary upon survival of the insured to the target survival date; and paying the survival benefit to the survival-beneficiary based on the insured surviving to the target survival date.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A17 Published Application No. 2005/0071204**

Published Application No. 2005/0071204 teaches survival risk insurance is a method of transferring the financial consequences associated with the risk that deaths occurring within a specified period of time in a selected group of insured lives will be less in number than the expected number of deaths or less in amount than the expected amount of death benefits paid. More particularly, one entity, the Coverage Recipient, can transfer a financial risk that the actual number of death benefits paid during a specifies period relative to a selected group of insured lives will be less than expected deaths or the expected amount of death benefits paid to another entity, the Coverage Provider, for the payment of an appropriate premium based on the method of this invention.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A18 Published Application No. 2005/0080653**

Published Application No. 2005/0080653 teaches a method and system to allow workers' compensation carriers to quickly and without significant expense identify reserve and subrogation funds that are, heretofore unbeknownst to the carrier, available due to unreported settlements or other resolutions of third party claims filed by workers' compensation claimant. The method includes the steps of selecting categories of claims to review for possible reserve

and subrogation funds, reviewing the carrier's data to identify claims that fit within the selected categories transmitting form interrogatories to the claimant(s) in each of the identified claims, collecting information from the responses to the interrogatories, analyzing the responses to separate them into appropriate responsive categories and then using the response information to identify available reserve and subrogation funds. The information obtained from the responses is used to reduce the carrier's reserve fund requirement, to reduce or stop payments to claimants or other uses beneficial to the carrier.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A19 Published Application No. 2005/0119919**

Published Application No. 2005/0119919 teaches an automated method and system (100) for supplying risk transfer products to a client company on a continual basis. After the client company provides a matrix of risk to the risk transfer supply chain, swaps and/or insurance products that provide the desired risk transfer are identified and priced. The information regarding the proposed risk transfer swaps and products is optionally reviewed by the user (20) and optionally accepted. If accepted, the transaction is completed in an automated fashion. Prices and contingent capital purchases are established as required to keep the operator of risk transfer supply chain in compliance with regulatory reserve requirements.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A20 Published Application No. 2005/0182670**

Published Application No. 2005/0182670 teaches a method for arranging a life insurance transaction while managing risk exposure associated with the transaction is disclosed. In one embodiment, the method includes coordinating the initiation of an insurance

policy that relates to the life of a person. Execution of a loan on behalf of an owner of the policy for the payment of premiums due on the policy is also coordinated with a lending entity. The posting of collateral for the loan by a third party is coordinated, thereby removing risk exposure from the lending entity, the policy owner, and/or the insured.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A21 Published Application No. 2005/0261943**

Published Application No. 2005/0261943 teaches the invention broadly comprises a method for determining financial loss related to performance of an internetwork. The method correlates input information regarding performance of an internetwork to operations of a financial entity underwriting insurance premiums and bonds and translates the correlated input information into at least one operational risk for the entity. In some aspects, the internetwork is the Internet. The method gathers secondary external information other than directly from the internetwork, correlates the input and secondary external information, and translates the correlated input and secondary external information into at least one operational risk for the entity. For at least one subset and one peril, the method determines a spread in time and space of effects of the least one anomaly and peril on the internetwork and on the at least one subject.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A22 Published Application No. 2005/0267785**

Published Application No. 2005/0267785 teaches survival risk insurance is a method of transferring the financial consequences associated with the risk that deaths occurring within a specified period of time in a selected group of insured lives will be less in number than the expected number of deaths or less in amount than the expected number of

death benefits paid. More particularly, one entity, the Coverage Recipient, can transfer a financial risk that the actual number of deaths or the actual amount of death benefits paid during a specified period relative to a selected group of insured lives will be less than the expected deaths or the expected amount of death benefits paid to another entity, the Coverage Provider, for the payment of an appropriate premium based on the method of this invention.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A23 Published Application No. 2005/0278198**

Published Application No. 2005/0278198 teaches a method for managing a portfolio of insurance products is provided. The method uses a computer system coupled to a database. The database has data related to at least one of the premiums, commissions, insurance policies, contracts, policy limits, claims, and losses. The method includes analyzing data stored within the database using the computer system including segmenting the insurance products included within the portfolio into predefined risk categories, analyzing market trends for at least a segment of an insurance industry, and recommending a sales indicator for each risk category based on portfolio analysis and the market trends analysis wherein the sales indicator indicates whether an insurer will increase, decrease, or maintain an amount of business currently being solicited from potential insureds for the corresponding risk category.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A24 Patent Application No. 4,837,693**

Patent Application No. 4,837,693 teaches the system includes a group of computers for facilitating the implementation and administration of a desired group insurance plan, having conversion rights for individuals. The system includes information gathering devices for receiving and storing employer and employee base information, and devices for

generating summarized base information signals in response to the information gathering devices. Devices generate report displays of summarized base information responsive to the signals. Also, devices calculate iteratively a desired employer contribution amount based upon the base information signals.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A25 Patent Application No. 4,839,804**

Patent Application No. 4,839,804 teaches a method and apparatus are provided to insure a means of purchasing a floating rate zero coupon note that is designed to fund a certain future liability of uncertain value and thereby defuse fully its future cost. The method is a one-year renewable term insurance program that fully funds the purchase of a certain floating rate zero coupon note upon the occurrence of some catastrophic event, such as the death of the insured. The system projects the expected death benefit payment and then calculates the annual insurance premium based on the expected death benefit payment, type of policy, and personal and risk characteristics of the insured.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A26 Patent Application No. 5,083,270**

Patent Application No. 5,083,270 teaches a data processing method and system for implementing a program to produce income from assets not normally income-producing, or to increase income from assets that already produce some income, is provided. According to the program, an interest-free mortgage is taken against the asset as security for a promissory obligation by a participant to pay a sum certain on his death. The promissory obligation becomes part of a fund which derives income through payment of such obligations as participants die, funding distributions to other participants still living. The data processing

method and system of the invention determine eligibility, calculate distributions, monitor the value of the pledged assets with respect to the amounts against which they are pledged, and handle discharge of the obligations as participants die.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A27 Patent Application No. 5,136,502**

Patent Application No. 5,136,502 teaches the invention relates to a system for funding and managing retiree health care benefits. The system employs a VEBA trust which in turn purchases variable life insurance contracts on the lives of a selected group of employees covered by the VEBA trust. The premiums from the life insurance contracts are used as investments, the inside build-up of which are non-taxable under UBIT or AMT. The resulting death benefits are then placed into the trust and are used to pay for the actual health care cost. The funding organization is used in conjunction with a computer system that estimates tax contribution limits of the trust, forecasts the yearly liabilities and premiums to be purchased by the VEBA and estimates tax savings, earnings per share, and determines income sheet statements in accordance with FASB 106.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A28 Patent Application No. 5,592,379**

Patent Application No. 5,592,379 teaches the instant invention is a method and apparatus for administering a program to senior citizens for managing and distributing the interest from pooled government bonds or the like. The program derived around a bond fund unit of various security offerings to specific groups of senior citizens having a common age and financial goal. As long as the participant is alive, the participant will share equally in an

increasing income stream derived from the interest from the security due to the number of decreasing participants in a fixed pool based on the participant's initial investment. The income producing bonds jointly pooled and singularly administered based upon U.S. Treasury bonds whose resulting interest is distributed to the remainder of living participants while bond maturity value remains payable to the participant or their estate. The program aids the participants and managers involved with the program regarding Fund assets, statistical predictions, and dividend distribution.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A29 Patent Application No. 5,754,980**

Patent Application No. 5,754,980 teaches a method of providing for a future stream of payments solely to a beneficiary who survives an insured utilizes data including the ages of both the insured and one specific beneficiary to define a premium for providing funding for the potential future liability to the specific beneficiary.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A30 Patent Application No. 5,806,042**

Patent Application No. 5,806,042 teaches the present invention involves a computer software and hardware system which smoothly integrates the following functions into an integrated computer-based system for designing and administering a BOLI plan for national banks under current federal and state guidelines and financial market constraints. The systems includes determining the highest BOLI premium permitted under OCC Banking Circular 9651, determining insurable interest requirements by accessing a database with the appropriate state's insurable interest guidelines, generating performance estimates for the BOLI plan and

allocating premium amount by business unit and employee. The system also ensures that the BOLI plan is in compliance with the regulatory requirements for the business unit. In addition, the system reinsures the BOLI plan through a captive insurance company of the financial organization, obtaining policy values for the captive insurance company. Other aspects of the system include verifying, reconciling, consolidating and reporting policy values for the financial organization, and performing administrative procedures for the BOLI plan of the financial organization.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A31 Patent Application No. 5,926,800**

Patent Application No. 5,926,800 teaches a system for providing loans to owners of life insurance policies who are terminally ill or aged. The system comprises a statistical module, medical module and a financial module which together operate on a preselected group of inputs to yield a line of credit offered to the policyholder. The system provides a line of credit line of credit to those insured under an insurance policy without transfer of ownership of the policy. The system determines eligibility and the line of credit for the insured. The system has an entering device for entering an insured's application data, including the insured's date of birth and the medical diagnosis of the insured, and for generating an output therefrom. The system also has a generating device for receiving the output from the entering device and for generating a function therefrom having a probability distribution describing the future life distribution of the insured and a computing device for receiving the function from the generating device and for computing the line of credit to be extended to the insured based upon the received function and financial assumptions. The owner retains ownership of the policy during his lifetime, and the insured has a line of credit extended as determined by the system.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A32 Patent Application No. 5,970,479**

Patent Application No. 5,970,479 teaches methods and apparatus which deal with the management of risk relating to specified, yet unknown, future events are disclosed. 'Sponsor' stakeholders specify a particular product relating to an event or phenomenon for which there is a range of possible future outcomes. 'Ordering' stakeholders then offer contracts relating to the predetermined phenomenon and corresponding range of outcomes. The offered contracts specify an entitlement or (pay-off) at the future time of maturity for each outcome, and a consideration (or premium) payable, in exchange, to a 'counter-party' stakeholder. Independently of the offered contracts, the 'counter-party' stakeholders input data as to their view of the likelihood of occurrence of each outcome in the predetermined range into the future, or specifically at the predetermined date of maturity. Each offered contract is priced by calculating counter-party premiums from the registered data, and a match attempted by a comparison of the offered premium with the calculated premiums. Matched contracts can be further traded until maturity, and at-maturity processing handles the exchange of entitlement as between the matched parties to the contract.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A33 Patent Application No. 5,974,390**

Patent Application No. 5,974,390 teaches a system and method is described for creating a predictable flow of funds from an otherwise unpredictable source. An investment and receiving vehicle is established where participants pool their ownership of insurance policies so as to share in the proceeds from those policies.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A34 Patent Application No. 6,049,772**

Patent Application No. 6,049,772 teaches a system for analyzing and managing a plurality of specified life insurance policies and annuity contracts on behalf of an insurance carrier. The life insurance policies or annuity contracts depend on stock market performance in that the account value increase is determined as a percentage of the performance of a stock market index, with set caps and floors. The percentage is adjusted according to the yield on fixed rate assets. The system manages the increased risk from participation in the stock market by periodically monitoring assets and liabilities and determining the purchase and sale of stock options and other hedging instruments to cover the risks. The system also provides cash and profit determinations from the life insurance policies and annuity contracts.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A35 Patent Application No. 6,138,102**

Patent Application No. 6,138,102 teaches a system for preventing cash flow losses for an insured entity including (a) a database for storing information including a base periodic cash flow amount for the insured entity; (b) a database for storing information including an actual periodic cash flow amount for the insured entity; (c) a comparator that compares the base periodic cash flow amount to the actual periodic cash flow amount and, if the actual periodic cash flow amount is less than the base periodic cash flow amount, calculates the difference between the base periodic cash flow amount and the actual periodic cash flow amount; (d) means for making a payment to the insured equal to the difference between the

base periodic cash flow amount and the actual periodic cash flow amount if the base periodic cash flow amount is greater than the actual periodic cash flow amount.

**A36 Patent Application No. 6,330,541**

Patent Application No. 6,330,541 teaches a system and method of managing an actuarially credible pool of life insurance policies to generate a consistent cash flow from death benefits paid on the insurance policies. The system and method accessing selected data having terms associated therewith, wherein the data is representative of the pool of life insurance policies. The cash value of the pool of life insurance policies is calculated from the selected data of the pool of life insurance policies for a predetermined point in time. The cash value of the pool of life insurance policies is compared to a predetermined cash value at the predetermined point in time. Then at least one of the terms is modified in accordance with a predetermined criteria, so that the cash value of the life insurance policies is managed and an actuarially definable cash flow may be obtained. This cash flow is then analyzed, so that at least a portion thereof may be sold to a third party.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A37 Patent Application No. 6,393,405**

Patent Application No. 6,393,405 teaches this invention pertains to a method of calculating payout ratios in a financial transaction in which a chronically ill individual sells a portion of his life insurance proceeds in exchange for an investor paying the premiums. The preferred implementations of the method involve a programmed computer or a storage medium which contains the preferred formula for calculating the payout ratios.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A38 Patent Application No. 6,456,979**

Patent Application No. 6,456,979 teaches a method of evaluating a permanent life insurance policy including the steps of establishing a benchmark cost of insurance value, obtaining a policy illustration, resolving an illustrated cost of insurance value from the policy illustration, and comparing the benchmark cost of insurance value with the illustrated cost of insurance value. A matrix of mortality profiles may be established wherein the benchmark cost of insurance is adjusted in relation to the matrix. The matrix may include gender-based, lifestyle and pricing method risk values. Gender-based risk values reflect the differing mortality rates experienced between males and females over a lifetime. Lifestyle-based risk values may acknowledge dangerous activities such as tobacco use, job occupation and the like. Pricing method risk values are based on the statistical evidence that affluent individuals generally lead healthier lifestyles while also purchasing substantial policy values.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**A39 Patent Application No. 6,999,935**

Patent Application No. 6,999,935 teaches survival risk insurance is a method of transferring the financial consequences associated with the risk that deaths occurring within a specified period of time in a selected group of insured lives will be less in number than the expected number of deaths or less in amount than the expected amount of death benefits paid. More particularly, one entity, the Coverage Recipient, can transfer a financial risk that the actual number of deaths or the actual amount of death benefits paid during a specified period relative to a selected group of insured lives will be less than the expected deaths or the expected amount of death benefits paid to another entity, the Coverage Provider, for the payment of an appropriate premium based on the method of this invention.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**B1      Foreign Patent No. EP0978795**

Foreign Patent No. EP0978795 teaches a method of evaluating optimum risk financing for risk associated contingencies. The method assembles input data relating to the contingency and processes that data to calculate by actuarial processing for any value of retained risk, a value of premium, retained risk cost and aggregate stop. The method then identifies the optimum set values.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**B2      Foreign Patent No. 02/065248**

Foreign Patent No. 02/065248 teaches an insurance product and insurance method for providing financial assurance, against an occurrence of at least one specified event, are described. In one embodiment, an insurer provides an insurance policy having a risk limit, in exchange for a predetermined first premium from the insured entity, where the risk limit is the maximum monetary risk. The insurer then transfers a variable portion of the risk limit to a reinsurer in exchange for a predetermined second premium. Note that the reinsurer is preferably a captive of the insured. As a feature of the invention, the variable portion of the risk limit decreases over time, and equals a predetermined retention point less a variable attachment point. For example, the retention point is a monetary amount less than the risk limit, and the variable attachment point varies over time based on a predetermined investment growth. In a further embodiment, the reinsurer transfers its risk to a third party reinsurer for a premium, where the third party reinsurer acts as a pool administrator for an insurance pool.

Applicant contends that the aforementioned document does not teach the

claimed invention as a whole.

**B3      Foreign Patent No. 2004/013794**

Foreign Patent No. 2004/013794 teaches a method and system to provide insurance protection to compensate an interested party against the financial risk that an elderly person (the "Insured") lives a longer than expected lifetime. The method comprises the steps of determining a target survival date for the insured; determining a survival benefit; receiving a premium in exchange for payment of the survival benefit to a survival-beneficiary upon survival of the insured to the target survival date; and paying the survival benefit to the survival-beneficiary based on the insured surviving to the target survival date.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**B4      Foreign Patent No. 2004/110418**

Foreign Patent No. 2004/110418 teaches PROBLEM TO BE SOLVED: To provide a technology capable of managing an insurance premium while taking a load/benefit balance of a subscriber unit into consideration while performing insurance premium pool management by the whole of subscribers and to provide a new system capable of achieving improvement in cost consciousness, ease of unfairness feeling, and policy induction and the like by using this technology. SOLUTION: This insurance premium management system is provided with a storage means storing subscriber attributes and/or medical cost details of each subscriber, a storage means storing a remainder (personal remainder) of the insurance premium pooled separately for each subscriber, a storage means storing a premium remainder (common remainder) pooled in common in between a plurality of subscribers, a compensation value deciding means deciding a compensation value to be supplied to the personal remainder of the subscriber from the common remainder on the basis of the subscriber attributes and/or

medicinal cost details of each subscriber, and an updating means updating the personal remainder and the common remainder on the basis of the decided compensation value.

Applicant contends that the aforementioned document does not teach the claimed invention as a whole.

**C1. File History for U.S. Patent Application Ser. No. 10/743,201**

The file history for U.S. Patent Application Ser. No. 10/743,201 filed December 22, 2003, is believed to be material.

Applicant contends that it was first to invent.

**C2. File History for U.S. Patent Application Ser. No. 60/507,170**

The file history for U.S. Patent Application Ser. No. 60/507,170 filed September 20, 2003, is believed to be material because it is related to Ser. No. 10/743,201.

Applicant contends that it was first to invent.

**C3. File History for U.S. Patent Application Ser. No. 11/197,251**

The file history for U.S. Patent Application Ser. No. 60/507,170 filed August 4, 2005, is believed to be material because it is related to Ser. No. 10/743,201.

Applicant contends that it was first to invent.

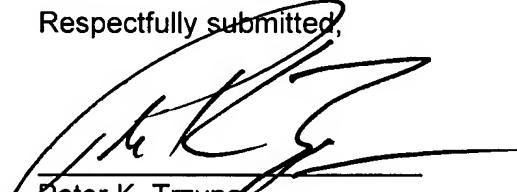
**II. FEE**

The present Information Disclosure statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits and hence is believed to be timely in accordance with 37 C.F.R. § 1.97(b). Accordingly, no fees are believed to be due in connection with the filing of this Information Disclosure Statement. However, should any fees be deemed necessary (except payment of the issue fee), the Commissioner is authorized to charge any deficiency or to credit any over payment to Deposit Account No. 50-0235.

**III. SIGNATURE**

Please direct all correspondence to the undersigned at the address given below.

Respectfully submitted,



Peter K. Trzyna  
(Reg. No. 32,601)

Date: August 24, 2006

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(312) 240-0824

Form PTO-1449 (modified)

Atty. Docket No. MCEA-P3-03

Serial No.  
10/687,063List of Patents and Publications for Applicant's  
INFORMATION DISCLOSURE STATEMENT

Applicant: Caballero et al.

Filing Date:  
October 16, 2003Art Unit  
3624

(Use several sheets if necessary)

## U.S. Patent Documents

See Pages 1 and 2

## Foreign Patent Documents

See Page 2 and 3

## Other Art

See Page 3

## U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date if App.
	A1	2001/0047325	Nov. 29, 2001	Livingston	705	38	Feb. 27, 2001
	A2	2002/0046143	Apr. 18, 2002	Eder	705	36	Jan. 18, 2001
	A3	2002/0156658	Oct. 24, 2002	Selesny et al.	705	4	Feb. 14, 2002
	A4	2003/0074232	Apr. 17, 2003	Lee	705	4	Oct. 27, 2001
	A5	2003/0083975	May 1, 2003	O'Grady et al.	705	37	Oct. 30, 2001
	A6	2003/0088430	May 8, 2003	Ruark	705	1	Nov. 5, 2001
	A7	2003/0093304	May 15, 2003	Keller et al.	705	4	Oct. 28, 2002
	A8	2003/0093354	May 15, 2003	Marshall	705	36	Dec. 26, 2002
	A9	2003/0204462	Oct. 30, 2003	Eisler	705	36	Apr. 30, 2002
	A10	2003/0208385	Nov. 6, 2003	Zander et al.	705	4	May 3, 2002
	A11	2004/0010426	Jan. 15, 2004	Berdou	705	4	Apr. 3, 2003
	A12	2004/0030589	Feb. 12, 2004	Leisher et al.	705	4	Jun. 25, 2003
	A13	2004/0167812	Aug. 26, 2004	Haney, II	705	8	Feb. 25, 2003
	A14	2004/0177021	Sep. 9, 2004	Carlson et al.	705	36	Mar. 3, 2004
	A15	2005/0055250	Mar. 10, 2005	Kopold et al.	705	4	Sep. 5, 2003
	A16	2005/0060209	Mar. 17, 2005	Hill et al.	705	4	Oct. 12, 2004
	A17	2005/0071204	Mar. 31, 2005	Parankirinathan	705	4	Dec. 22, 2003
	A18	2005/0080653	Apr. 14, 2005	Stemple	705	4	Sep. 10, 2004
	A19	2005/0119919	Jun. 2, 2005	Eder	705	4	Dec. 12, 2001
	A20	2005/0182670	Aug. 18, 2005	Burgess	705	4	Feb. 18, 2005
	A21	2005/0261943	Nov. 24, 2005	Quarterman et al.	705	4	Mar. 23, 2005
	A22	2005/0267785	Dec. 1, 2005	Parankirinathan	705	4	Aug. 4, 2005
	A23	2005/0278198	Dec. 15, 2005	Huxol et al.	705	4	Jun. 9, 2004

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DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)

C: 56468 (MCEA-P3-06.1449 FORM.DOC)

Form PTO-1449 (modified)		Atty. Docket No. MCEA-P4-06	Serial No. 10/569,987
List of Patents and Publications for Applicant's INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)		Applicant: Caballero et al.	
		Filing Date: February 28, 2006	Art Unit Unknown
U.S. Patent Documents <i>See Pages 1 and 2</i>	Foreign Patent Documents <i>See Pages 2 and 3</i>		Other Art <i>See Page 3</i>

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Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date if App.
	A24	4,837,693	Jun. 6, 1989	Schotz	364	408	Feb. 27, 1987
	A25	4,839,804	Jun. 13, 1989	Roberts et al.	364	408	Dec. 30, 1986
	A26	5,083,270	Jan 21, 1992	Gross et al.	364	408	Dec. 14, 1990
	A27	5,136,502	Aug. 4, 1992	Van Remortel et al.	364	413.01	Oct. 2, 1991
	A28	5,592,379	Jan. 7, 1997	Finfrock et al.	395	239	Oct 6, 1994
	A29	5,754,980	May 19, 1998	Anderson et al.	705	14	May 24, 1995
	A30	5,806,042	Sep. 8, 1998	Kelly et al.	705	4	Oct. 11, 1995
	A31	5,926,800	Jul. 20, 1999	Baronowski et al.	705	35	Apr. 24, 1995
	A32	5,970,479	Oct. 19, 1999	Shepherd	705	37	May 28, 1993
	A33	5,974,390	Oct. 26, 1999	Ross	705	4	Jul. 21, 1997
	A34	6,049,772	Apr. 11, 2000	Payne et al.	705	4	Dec. 19, 1996
	A35	6,138,102	Oct. 24, 2000	Hinckley, Jr.	705	4	Jul. 31, 1998
	A36	6,330,541	Dec. 11, 2001	Meyer et al.	705	4	Jan. 7, 1998
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	A38	6,456,979	Sep. 24, 2002	Flagg	705	4	Oct. 24, 2000
	A39	6,999,935	Feb. 14, 2006	Parankiranathan	705	4	Dec. 22, 2003
	A40						

### Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1	EP 0 978 795	29 July 1999	EP	G06F17	60	Yes
	B2	02/065248	14 Feb. 2002	WO	G06F		Yes

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Form PTO-1449 (modified)		Atty. Docket No. MCEA-P4-06	Serial No. 10/569,987
<b>List of Patents and Publications for Applicant's</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  <small>(Use several sheets if necessary)</small>		Applicant: Caballero et al.	
		Filing Date: February 28, 2006	Art Unit Unknown
U.S. Patent Documents <i>See Pages 1 and 2</i>	Foreign Patent Documents <i>See Pages 2 and 3</i>		Other Art <i>See Page 3</i>

### Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B3	2004/013794	22 July 2003	WO	G06F17	60	Yes
	B4	2004/110418	2004	JP	G06F17	60	No

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	File History for U.S. Patent Application Ser. No. 10/743,201
	C2	File History for U.S. Patent Application Ser. No. 60/507,170
	C3	File History For U.S. Patent Application Ser No. 11/197,251

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*INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)*